

IN RE: PETITION FOR SPECIAL HEARING
SE/Cor. Cromwell Bridge Road and
Loch Raven Boulevard
(1607 Cromwell Bridge Road)
9th Election District
6th Council District

Rock City Church, Inc., Legal Owner;
Arrow Center for Education, Contr. Pur.

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 02-290-SPH
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owner of the subject property, Rock City Church, Inc., by Melvin F. Munk, and the Contract Purchaser, Arrow Center for Education, by Joseph Lesco, through their attorney, Deborah C. Dopkin, Esquire. The Petitioners request a special hearing to approve a modification of the site plan approved in prior Case No. 91-94-SPH for a proposed school. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Melvin F. Munk, on behalf of Rock City Church, Inc., property owners; Mark Tennant, Founder of the Arrow Center for Education, Contract Purchasers; and his attorney, Anthony C. Goodall, Esquire. Also appearing on behalf of the Petitioners were Mitchell Kellman, on behalf of Daft-McCune-Walker, Inc., the consultant who prepared the site plan for this property; and, Deborah C. Dopkin, Esquire, attorney for the Petitioners. Appearing as interested citizens were Donna Spicer and Aimee Sann, nearby residents of the area.

Testimony and evidence offered revealed that the subject property is an irregular shaped parcel located on the south side of Cromwell Bridge Road, across from Loch Raven Senior High School and adjacent to the Baltimore Beltway (I-695) in Towson. The property contains a gross area of 23.90 acres, more or less, zoned D.R.2 and is improved with a one-story church building. The zoning history of this property is significant. Originally, zoning approval was granted in Case No. 85-

ORDER RECEIVED FOR FILING

Date 3/11/02

By [Signature]

126-A for the subject non-denominational church and to permit a crusher run parking lot in lieu of the required durable/dustless surface. Thereafter, an amendment to the previously approved site plan was considered and granted in Case No. 91-94-SPH for a new church building and related parking. Collectively, those two decisions fully describe the subject property and the uses thereon.

Essentially, the property is owned and used by Rock City Church, Inc., a non-denominational organization. The site is improved with a one-story sanctuary, 67,240 sq.ft. in area, with a seating capacity of 3,096 individuals. In addition to that structure, there is the original sanctuary building, a two-story assembly building, and annexes and additions thereto. There are also several outbuildings, and a large parking field. The physical characteristics of the site are unique. The property sits high atop a ridge which overlooks the Baltimore Beltway opposite from the location of the landmark building formerly owned by Luskens. In addition to the steep slopes and unusual topography of the site, a stream and area of wetlands bisect the property. These physical characteristics essentially divide the property into two distinct parcels. The one parcel consists of 15 acres and contains the new sanctuary and a large parking field containing 494 spaces. The other parcel consists of 8 acres and contains the original church building, assembly building, and a parking lot containing 132 spaces.

The Church boasts a large congregation of approximately 7300¹⁸⁰⁰ members. Obviously, the Church holds religious services on Sundays and the property is generally used for activities associated with the Church. Previously, the Rock City Church operated a school on the premises within the original church building and used the assembly building for related purposes. At that time, the school had a maximum of 200 students. However, in 1996, the Church entered into a lease agreement with the Arrow Center for Education, who has been operating the school since that time. The Church is now under contract to sell that portion of the lot containing the school building to the Arrow Center for Education. Thus, the requested special hearing relief is necessary in order to proceed.

Testimony in support of the request was offered by Mark Tennant, founder of the Arrow Center. Mr. Tennant described in detail the mission and activities of the Arrow Center for Education. He testified that the Center was founded in 1992 and has facilities in both Texas and Maryland. The Center serves abused and neglected children who are no longer in the public education system due to

ORDER RECEIVED FOR FILING

Date

By

disciplinary or other problems. The children are educated at the facility and returned to mainstream schools after receiving counseling and rehabilitation. The proposed facility will provide educational services for approximately 45 children in Grades 6 -- 12. Additionally, up to 28 foster children who have also suffered from abuse or neglect, will actually reside on the subject site and attend the school. It is anticipated that the average stay will not exceed 90 days. The facility also offers assistance to children who have been referred there by the Department of Social Services. It was indicated that the number of children who actually reside on the site could increase to 48, but that the maximum number of children served at any one time, both residing on the property and commuting there from outlying areas, would be 100.

Special hearing relief is requested to approve this arrangement and proposed conveyance. In this regard, a major issue relates to parking. Under the modified parking plan approved in prior Case No. 91-94-SPH, the Church was to provide a total of 781 parking spaces. Indeed, 781 spaces are provided between both the Church and school parking areas, and off-site locations. Specifically, testimony indicated that the Church has an arrangement with Loch Raven High School to lease up to 120 spaces on an as-needed basis. In addition to the agreement with Loch Raven High School, there have also been a series of covenants entered into by and between the Rock City Church and two different community associations. These covenants have been in effect since the Church's operation and have apparently worked well. Testimony and evidence indicated that the activities associated with the Church and the prior school operation have not detrimentally impacted the surrounding locale. Although a new entity will acquire the school property, it is anticipated that the covenants will continue to be enforceable on both Rock City Church and the Arrow Center for Education. Moreover, these two entities will continue to operate in conjunction with one another in terms of shared parking arrangements. The uses between the Church and school are compatible with one another. Specifically, at the most active times of the Church, the school will not be in operation and vice versa.

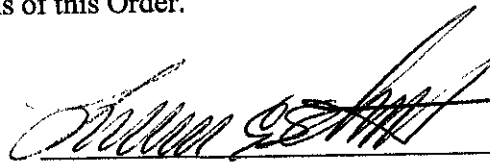
Based upon the testimony and evidence offered, I am persuaded to grant the Petition for Special Hearing. The purpose and operation of the Arrow Center is noble and serves a public need. It appears that the Church and school have operated compatibly with one another and will continue to do

so in a manner that will not be detrimental to the surrounding neighborhood. It is to be noted that the covenants between the Church and the surrounding communities will continue to be enforceable and the modified parking plan will remain unchanged.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE IT IS ORDERED by the Zoning Commissioner for Baltimore County this 11th day of March, 2002 that the Petition for Special Hearing to approve a modification of the site plan approved in prior Case No. 91-94-SPH for a proposed school, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) The covenants entered into between the Church and surrounding communities will continue to be enforceable on both Rock City Church and the Arrow Center for Education. Moreover, these two entities will continue to operate in conjunction with one another in terms of shared parking arrangements.
- 3) Within sixty (60) days of the date of this Order, the Petitioners shall record new deeds in the Land Records of Baltimore County, referencing this case and setting forth the terms and conditions of the relief granted.
- 4) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING

Date

By



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

March 11, 2002

Deborah C. Dopkin, Esquire
409 Washington Avenue, Suite 920
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING
SE/Corner Cromwell Bridge Road & Loch Raven Boulevard
(1607 Cromwell Bridge Road)
9th Election District – 6th Council District
Rock City Church, Inc., Legal Owner; Arrow Center for Education, Contract Purchaser
Case No. 02-290-SPH

Dear Ms. Dopkin:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Melvin F. Munk, Rock City Church, Inc.
1607 Cromwell Bridge Road, Baltimore, Md. 21234
Mr. Mark Tennant, Arrow Center for Education
350 W. Sam Houston Parkway, Suite 105, Houston, Tx. 77060
Anthony C. Goodall, Esquire
1250 Cap. Tx. Hwy., Suite 2-400, Austin, Tx. 78746
Ms. Donna Spicer, 8719 Eddington Road, Baltimore, Md. 21234
Ms. Aimee Sann, 8805 Oakleigh Road, Baltimore, Md. 21234
People's Counsel; Case File

Come visit the County's Website at www.co.ba.md.us





Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

March 13, 2002

Deborah C. Dopkin, Esquire
409 Washington Avenue, Suite 920
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING
SE/Corner Cromwell Bridge Road & Loch Raven Boulevard
(1607 Cromwell Bridge Road)
9th Election District – 6th Council District
Rock City Church, Inc., Legal Owner; Arrow Center for Education, Contract Purchaser
Case No. 02-290-SPH

Dear Ms. Dopkin:

In response to your recent telephone inquiry concerning an apparent typographical error in the Order issued in the above-captioned matter, the following comments are offered. Specifically, the Order indicated that the Church membership totaled 7300, when in fact, it totals 730. Inasmuch as the Church membership is not a relevant factor to the relief requested within the Petition, I find that this is a minor error and does not warrant an amendment to the Order. However, I appreciate your bringing this matter to our attention and by copy of this letter to the case file, will correct the error.

Should you have any further questions or concerns regarding this matter, please do not hesitate to call me.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Melvin F. Munk, Rock City Church, Inc.
1607 Cromwell Bridge Road, Baltimore, Md. 21234
Mr. Mark Tennant, Arrow Center for Education
350 W. Sam Houston Parkway, Suite 105, Houston, Tx. 77060
Anthony C. Goodall, Esquire
1250 Cap. Tx. Hwy., Suite 2-400, Austin, Tx. 78746
Ms. Donna Spicer, 8719 Eddington Road, Baltimore, Md. 21234
Ms. Aimee Sann, 8805 Oakleigh Road, Baltimore, Md. 21234
People's Counsel; Case/File

Come visit the County's Website at www.co.ba.md.us





Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 1607 Cromwell Bridge Road
which is presently zoned D.R. 2

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

a modification to Case No. 91-94 SPH

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Arrow Center for Education

Name - Type or Print

Signature

350 W. Sam Houston Pkwy., #105 (713-931-1190)

Address Telephone No.

Houston, TX 77060

City State Zip Code

Attorney For Petitioner:

Deborah C. Dopkin, Esquire

Name - Type or Print

Signature

Deborah C. Dopkin, P.A.

Company

409 Washington Avenue, #920 (410-494-8080)

Address Telephone No.

Towson, MD 21204

City State Zip Code

Legal Owner(s):

Rock City Church, Inc.

Name - Type or Print

By:

Signature

MELVIN F. MUNK

Name - Type or Print

Signature

1607 Cromwell Bridge Road (410-382-2217)

Address

Baltimore,

MD

Telephone No.

21234

City

State

Zip Code

Representative to be Contacted:

Deborah C. Dopkin, Esquire

Name

409 Washington Avenue, #920 (410-494-8080)

Address

Towson

MD

Telephone No.

21204

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By BR Date 1/10/02

ORDER RECEIVED FOR FILING
Date 3/1/02
By [Signature]

Description
To Accompany Zoning Petition

23.9 Acre Parcel

Ninth Election District, Baltimore County, Maryland



Daft•McCune•Walker, Inc.

200 East Pennsylvania Avenue

Towson, Maryland 21286

<http://www.dmw.com>

410 296 3333

Fax 410 296 4705

A Team of Land Planners,

Landscape Architects,

Golf Course Architects,

Engineers, Surveyors &

Environmental Professionals

Beginning for the same at a point in the center of Cromwell Bridge Road, variable width, said point being Northeasterly 460 feet, more or less from the intersection of the centerline of Cowpens Road with the centerline of Cromwell Bridge Road, thence continuing to run and bind on the centerline of Cromwell Bridge Road, the six following courses and distances, viz: (1) North 75 degrees 25 minutes East 260 feet, thence (2) North 71 degrees 25 minutes East 200 feet, thence (3) North 69 degrees 25 minutes East 115 feet, thence (4) North 69 degrees 26 minutes East 213 feet, thence (5) North 74 degrees 05 minutes East 200 feet, thence (6) North 78 degrees 35 minutes East 130 feet, thence leaving said centerline and running (7) South 09 degrees 34 minutes East 224.42 feet, and thence (8) South 04 degrees 46 minutes 19 seconds West 660.94 feet to intersect the northern right-of-way line of Interstate 695, thence running and binding on said right-of-way line, the ten following courses and distances, viz: (9) North 82 degrees 30 minutes West 149 feet, thence (10) North 89 degrees 30 minutes West 194 feet, thence (11) South 13 degrees 00 minutes East 41 feet, thence (12) South 78 degrees 30 minutes West 122 feet, thence (13) South 82 degrees 30 minutes West 361 feet, thence (14) North 73 degrees 30 minutes West 130 feet, thence (15) South 83 degrees 30 minutes West 208 feet, thence (16) South 89 degrees 30 minutes West 491 feet, thence (17) South 68 degrees 00 minutes West 23 feet, and thence (18) North 25 degrees 00 minutes West

356 feet, thence leaving said right-of-way line and running (19) North 72 degrees 45 minutes 13 seconds East 826.25 feet, and thence (20) North 23 degrees 43 minutes West 85.31 feet to the point of beginning; containing 25.6 acres of land, more or less.

Saving and excepting a parcel of land, more particularly described as follows:

Beginning for the same at a point in the seventh or South 09 degrees 34 minutes East 224.02 foot of the above described parcel of land, said point being distant South 09 degrees 34 minutes East 15.05 feet from the beginning thereof, thence running and binding on a part of said seventh line (1) South 09 degrees 34 minutes East 66.10 feet, and thence leaving said seventh line and running (2) South 77 degrees 17 minutes 08 seconds West 433.73 feet and, thence (3) South 72 degrees 45 minutes 13 seconds West 659.39 feet to the beginning of the twentieth line of the above described parcel of land, thence running and binding on part of said twentieth line, (4) North 23 degrees 43 minutes West 66.42 feet, thence leaving said twentieth line and running (5) North 72 degrees 45 minutes 13 seconds East 669.49 feet, thence (6) North 77 degrees 17 minutes 08 seconds East 439.83 feet to the point of beginning; containing 1.7 acres of land, more or less. The area of land being petitioned is 23.9 acres.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

January 10, 2002

Project No. 88085.S7 (L88085.S7)



BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 08845

DATE 1/10/02 ACCOUNT R001-006-6150

AMOUNT \$ 250.00

RECEIVED FROM: Rock city church

FOR: Special Hearing

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

Item # 290

PAID RECEIPT

PAYMENT ACTUAL TIME
1/11/2002 1/10/2002 15:18:37

REL W005 CASHIER R006 LRD DRAWER 5
>>RECEIPT # 243713 OFLN
Dept 5 528 ZONING VERIFICATION
CR NO. 008845

Recpt Tot 250.00
250.00 CK .00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

**NOTICE OF ZONING
HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows.

Case: #02-290-SPH
1607 Cromwell Bridge Road
SE/corner Cromwell Bridge
Road & Loch Raven Blvd.
6th Election District
9th Councilmanic District
Legal Owner(s): Melvin F. Munk
Contract Purchaser: Joseph
Lesco

Special Hearing: to approve a modification to Case no. 91-94.

Hearing: Wednesday, February 28, 2002 at 9:00 a.m. in Room 407, County Courts Building, 401 Besley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the file and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT/2/621 Feb. 5 0518831

CERTIFICATE OF PUBLICATION

2/7/, 2002

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 2/5/, 2002.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE Case No 02-290-SPH
 Petitioner/Developer ROCK CHURCH, ETAL
% DMW- MITCH KELLMAN
 Date of Hearing/Closing 2/20/02

# of pages ▶ 1	
To <u>Mr. O'KEEFE</u>	From <u>O'KEEFE</u>
Co. <u>ZONING COMM</u>	Co. <u></u>
Dept. <u></u>	Dept. <u></u>
Fax # <u>410-887-3408</u>	Phone # <u>512 4621</u>

Baltimore County Department of
 Permits and Development Management
 County Office Building, Room 111
 111 West Chesapeake Avenue
 Towson, MD 21204

Attention Ms Gwendolyn Stephens GEORGE ZAHNER

Ladies and Gentlemen,

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
 were posted conspicuously on the property located at #1607 CROMWELL
BRIDGE ROAD.

The sign(s) were posted on 2/3/02
 (Month, Day, Year)

Sincerely,

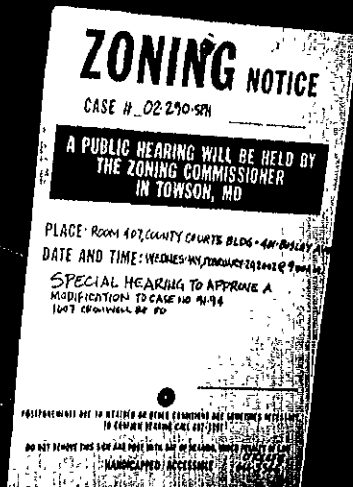
Patrick M. O'Keefe 2/5/02
 (Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
 (Printed Name)

523 PENNY LANE
 (Address)

HUNT VALLEY, MD. 21030
 (City, State, Zip Code)

410-666-5366 ; CELL-410-905-8571
 (Telephone Number)



CERTIFICATE OF POSTING

RE: Case No.: 02-290-SPH
 Petitioner/Developer: ROCK, ETAL
DMW / MITCH
 Date of Hearing/Closing: 2/20/02

Baltimore County Department of
 Permits and Development Management
 County Office Building, Room 111
 111 West Chesapeake Avenue
 Towson, MD 21204

Attention: Ms. Gwendolyn Stephens **GEORGE ZAHNER**

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
 were posted conspicuously on the property located at #1607 CROMWELL
BRIDGE RD.

The sign(s) were posted on 2/13/02
 (Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 2/15/02
 (Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

(Address)

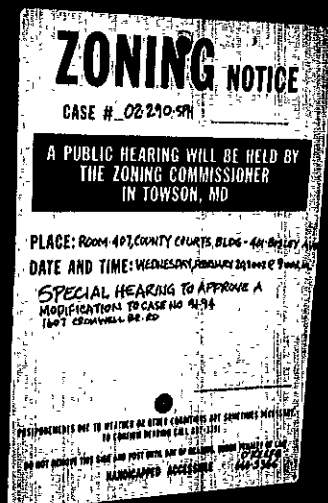
HUNT VALLEY, MD. 21030

(City, State, Zip Code)

410-666-5366 ; CELL 410-905-8571

(Telephone Number)

Post-it® Fax Note	7671	Date	# of pages
	To	From	
	Co./Dept.	Co.	
	Phone #	Phone #	
	Fax #	Fax #	



DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number. 02-240-SPH

Petitioner. THE ROCK CITY CHURCH, INC

Address or Location: 1607 CROMWELL BRIDGE RD 21234

PLEASE FORWARD ADVERTISING BILL TO:

Name: DEBORAH C DOPKIN

Address: 409 WASHINGTON AVE ST 920
TOWSON MD 21204

Telephone Number: 410 494-8080

TO: PATUXENT PUBLISHING COMPANY
Tuesday, February 5, 2002 Issue – Jeffersonian

Please forward billing to:

Deborah C Dopkin Esquire
409 Washington Avenue
Suite 920
Towson MD 21204

410 494-8080

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 02-290-SPH
1607 Cromwell Bridge Road
SE/corner Cromwell Bridge Road & Loch Raven Blvd
6th Election District – 9th Councilmanic District
Legal Owner: Melvin F Munk
Contract Purchaser: Joseph Lesco

Special Hearing to approve a modification to Case no. 91-94.

HEARING: Wednesday, February 20, 2002 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT G.D.Z.
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

January 30, 2002

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 02-290-SPH
1607 Cromwell Bridge Road
SE/corner Cromwell Bridge Road & Loch Raven Blvd
6th Election District – 9th Councilmanic District
Legal Owner: Melvin F Munk
Contract Purchaser: Joseph Lesco

Special Hearing to approve a modification to Case no. 91-94.

HEARING: Wednesday, February 20, 2002 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon G.D.Z.
Director

C: Deborah C Dopkin Esquire, 409 Washington Avenue, #920, Towson 21204
Melvin F Munk, Rock City Church Inc, 1607 Cromwell Bridge Road,
Baltimore 21234
Arrow Center for Education, 350 W Sam Houston Pkwy, Houston TX 77060

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, FEBRUARY 5, 2002.**
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

February 15, 2002

Deborah C Dopkin Esquire
409 Washington Avenue
Towson MD 21204

Dear Ms. Dopkin:

RE: Case Number: 02-290-SPH, 1607 Cromwell Bridge Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 10, 2002.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr. GDZ
Supervisor, Zoning

Review

WCR: gdz

Enclosures

c: Melvin F Munk, Rock City Church, Inc, 1607 Cromwell Bridge Road,
Baltimore 21234
Arrow Center for Education, 350 W Sam Houston Pkwy, Houston TX 77060
People's Counsel

Come visit the County's Website at www.co.ba.md.us



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

DATE: February 28, 2002

FROM: *RWB* Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for February 4, 2002
Item Nos. 263, 264, 265, 267, 268, 269,
270, 271, 272, 273, 274, 275, 276, 278,
279, 280, 281, 282, 283, 284, 285, 286,
287, 288, 290 and 292

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:cab

cc: file



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4880

January 31, 2002

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF January 28, 2002

Item No.: See Below

Dear Ms. Stephens:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

263, 267, 268, 270, 271, 273, 274, 275, 276, 278, 279, 280, 282,
283, 284, 287, 289, 290,

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at www.co.ba.md.us



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on Recycled Paper

2/20

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon
FROM: Todd Taylor
DATE: March 1, 2002

Zoning Advisory Committee Meeting of January 28, 2002

SUBJECT: NO COMMENTS for the FOLLOWING ZONING ITEMS:

263 - 265, 268, 271, 272, 275 - 277, 279 - 281, 283, 284, 286, 287, 290 - 292

Agricultural Preservation is still reviewing Zoning Items: 270, 273, 278, and 288.

HP
2/28

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

DATE: February 6, 2002

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

SUBJECT: 1607 Cromwell Bridge Road

INFORMATION:

Item Number: 02-290

Petitioner: Rock City Church, Inc.

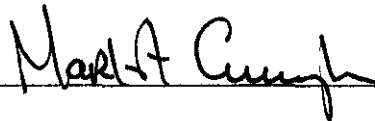
Zoning: DR 2

Requested Action: Special Hearing

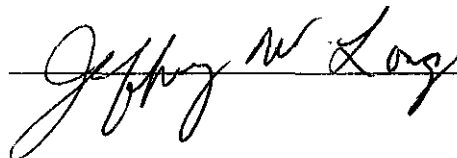
SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the petitioner's request providing the subject church and school continue to comply with the restrictions in the Deputy Zoning Commissioner's order in Case # 91-94SPH.

Prepared by:



Section Chief:



AFK:MAC:



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 1.29.02

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

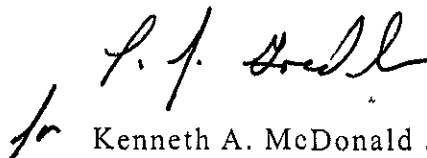
RE: Baltimore County
Item No. 290 BR

Dear Mr. Zahner:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,



Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RE: PETITION FOR SPECIAL HEARING
1607 Cromwell Bridge Road, SE Corner Cromwell
Bridge Rd & Loch Raven Blvd
6th Election District, 9th Councilmanic

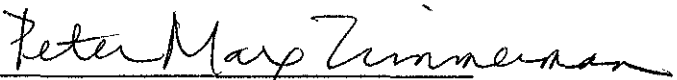
Legal Owner: Rock City Church, Inc.
Contract Purchaser/Lessee: Arrow Center for Education
Petitioner(s)


* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 02-290-SPH

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. **All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.**


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of January, 2002 a copy of the foregoing Entry of Appearance was mailed to Deborah C. Dopkin, Esq., 409 Washington Avenue, Suite 920, Towson, MD 21204, attorney for Petitioner(s).


PETER MAX ZIMMERMAN

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Deborah Doptin

409 Washington Ave
21204

Melvin F Munk

1607 Cromwell Bridge Rd 21234

Mark Tennant

350 N. San Houston - Houston, TX
77060

Anthony C. Goodall

1250 Cap Tx Hwy Suite 2-400 Austin, TX

Mitch Kellman

200 E. Pennsylvania Ave 21204 78746



~~Citizen~~

PROTESTANT'S SIGN-IN SHEET

Revised 4/17/00

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



111 West Chesapeake Avenue
Towson, MD 21204

887-3353

May 30, 1991

Deborah C. Dopkin, Esquire
405 Allegheny Avenue
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING
SE/Corner Cromwell Bridge Road at Loch Raven Boulevard
(1607 Cromwell Bridge Road)
9th Election District - 4th Councilmanic District
Rock Church - Petitioner
Case No. 91-94-SPH

Dear Ms. Dopkin:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Ann M. Nastarowicz".

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

cc: Michael Gisriel, Esquire
210 E. Lexington Street, Suite 400, Baltimore, Md. 21202

V. Charles Rinaudo, Esquire
22 W. Pennsylvania Avenue, Suite 403, Towson, Md. 21204

John W. Pfeifer, Esquire
326 St. Paul Place, Suite 100, Baltimore, Md. 21202

Michael Tanczyn, Esquire
606 Baltimore Avenue, Suite 106, Towson, Md. 21204

Mr. William F. Gebhardt
1215 Brook Meadow Drive, Baltimore, Md. 21204

People's Counsel; File

A large, stylized handwritten signature, possibly reading "Rad Nor", written in dark ink.

MICROFILMED

IN RE: PETITION FOR SPECIAL HEARING
SE/S Cromwell Bridge Road, 480'
NE of the c/l of Cowpens Avenue
(1607 Cromwell Bridge Road)
9th Election District
4th Councilmanic District

Rock Church
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 91-94-SPH

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a special hearing to approve an amendment to the previously approved site plan in Case No. 85-126-A to permit a modified parking plan, pursuant to Section 409.12B of the Baltimore County Zoning Regulations (B.C.Z.R.), which a) provides some of the required parking more than 500 feet walking distance from the principal building entrance; b) permits fewer than 50% of the on-site parking to not have direct access to an aisle and to be parked by direction rather than by an attendant; and c) provides 112 parking spaces on a satellite lot from which shuttle bus service is provided, all as more particularly described in Petitioner's Exhibit 1.

Hearings were held in the above-referenced matter on October 30, 1990, January 17th, March 12th, and March 21st, 1991. At the original hearing on October 30, 1990, the Petitioners, by Reverend Bart Pierce, appeared, testified and were represented by Deborah C. Dopkin, Esquire. Also appearing on behalf of the Petition were Chris Trionfo, Church Elder and principal of Hopkins Construction; Mel Munk, Business Manager of the Church; Dick Baummer, Project Manager with Daft-McCune-Walker, Inc., and Wes Guckert, expert Traffic Engineer with The Traffic Group. Appearing as Protestants in the matter were Edward and Carmella Veit, adjoining property owners, and the Cromwood-Coventry-Satyr Hill Association, represented by

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Michael Tanczyn, Esquire. At the continued hearing on January 17, 1991, all parties at the original hearing were present. In addition, Rocky Powell of the Baltimore County Department of Environmental Protection and Resource Management (DEPRM), Tom Lucas, a Church Elder responsible for parking, and George Gavrelis, expert Land Planner with Daft-McCune-Walker, Inc., appeared and testified on behalf of the Petition. Mr. Tanczyn withdrew his clients' opposition, and the Chatterleigh Association, represented by John Pfeifer and V. Charles Rinaudo, appeared and testified. At the hearing held on March 12, 1991, Michael Gisriel, Esquire entered his appearance on behalf of Mr. & Mrs. Veit.

Testimony indicated that the subject property, known as 1607 Cromwell Bridge Road, consists of 23.90 acres more or less zoned D.R. 2 and is improved with a church, known as the Rock Church, and other related facilities. Rev. Pierce testified that the Rock Church of Baltimore is a non-denominational pentecostal Biblical church affiliated with the Rock Church of Virginia Beach, one of 40 affiliated churches offering services domestically and abroad, including outreach and ministries in third world and developing countries. He testified that the Rock Church of Baltimore has existed at the subject location for 10 years and offers several church services and related activities. Rev. Pierce testified that the Church affiliated school, the Rock Church Academy, is a kindergarten through 12th grade school which conducts and sponsors numerous academic, youth, sports and related social activities on the site. It has a current enrollment of approximately 200 students whose families are church members. He indicated that a day care center is also housed on the site and though run by the Church, is open to the surrounding community. It operates five days a week from 7:00 AM to 5:30 PM. The Church's outreach covers a variety of

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ABJ

ongoing and growing activities, including a home for unwed mothers, Nehemiah House, a men's shelter (run off-site in conjunction with Baltimore County), providing services at local jails and at the Hickey School, and sponsoring inner city block parties and meals for the needy at Christmas and on other occasions.

Rev. Pierce testified the Petitioners have outgrown their present sanctuary and are desirous of constructing a new sanctuary on the site as depicted on Petitioner's Exhibit 1. The original plan presented was for the 14.32 acres on which the sanctuary will be built; however, Petitioners, as required, modified the site plan to incorporate the acreage on which the existing church and school are located as parking in said area is also needed to support Petitioners' request. The modified plan has been marked Petitioner's Exhibit A. The proposed sanctuary will have a seating capacity of 3,096, thereby necessitating the requested modified parking plan. Rev. Pierce testified that Sunday morning services have grown from an initial small group of worshippers to approximately 1000 worshippers during the eight years he has officiated. He indicated that membership is presently between 600 and 650, primarily from the surrounding area. Rev. Pierce testified that currently, major services are held in the school gymnasium and regularly scheduled services are held on Thursday evenings at 7:30, Sunday mornings at 10:30, and Sunday evenings at 7:30. He testified that approximately 400 to 500 worshippers attend each evening service. Rev. Pierce indicated that he anticipates continued growth in membership comparable to that which has occurred over the past eight years and that the proposed sanctuary has been designed to accommodate such growth.

Chris Trionfo, Church elder responsible for coordinating the construction of the new sanctuary, testified to the need for the modified

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Date

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parking plan based on existing improvements, environmental constraints, and cost considerations. Mr. Trionfo also testified as to alternative plans considered by the Church and the reasons each was rejected. In his opinion, strict compliance with the B.C.Z.R. would result in practical difficulty and unreasonable hardship for the Church due to the unique physical and environmental nature of the site.

Richard Baummer, project manager, testified to the character of the general area and surrounding uses. Mr. Baummer described the proposed development and parking plan, addressing the specific modifications which are the subject of this Petition as required by DEPREM. Mr. Baummer addressed the comments submitted by the Zoning Plans Advisory Committee, including State Highway Administration concerns and indicated that in his opinion, strict compliance with the B.C.Z.R. would result in practical difficulty and unreasonable hardship for the Church.

Mel Munk, business manager, described his responsibilities for the physical condition of the Church buildings, grounds and vehicles. He testified the Church has written permission from the principal of Loch Raven High School to use the school parking lot on Sundays. Testimony indicated the School lot is across Cromwell Bridge Road from the Church and that only passenger vehicles, excluding buses, park at the school. Mr. Munk testified that no loading, service, or any use other than parking occurs on the lot and that the method and area of operation, and permitted hours of use are specified and regulated to the extent within the Church's control. Testimony indicated that Petitioner has used the Loch Raven High School for additional parking for the past several years. Mr. Munk further testified that the school has used the Church facilities from time to time and that by working together, the two institutions have successfully avoid-

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ed conflicts in scheduling. Mr. Munk testified the Congregation is informed of the parking ministry from the pulpit and by the Church bulletin. Testimony indicated the Church will subject itself to any conditions not listed above which, in the judgment of the Deputy Zoning Commissioner, are necessary to ensure that the use of the parking lot will not be detrimental to adjacent properties. Mr. Munk presented a letter he received from the Huntleigh Development, marked Petitioner's Exhibit 6, indicating their support of this Petition. Mr. Munk also testified that he was contacted by members of the community relative to the need for a traffic light at Cowpens Avenue, seeking the Church's support.

Wes Guckert, traffic engineer and President of The Traffic Group, testified on behalf of the Petition. He testified he had inspected the site, investigated the existing and proposed parking plans and hours of operation, and conducted a traffic study of conditions in the area. The study concluded that, assuming a worst-case scenario (traffic arrives and leaves within a one hour period on Sunday mornings), the level of service on adjoining roads and intersections and site access remained at "A" level without an adverse traffic impact. Mr. Guckert further testified that the plan proposes to reconfigure the access at Cromwell Bridge Road, and would be further improved by the installation of a traffic light. Mr. Guckert testified his firm had observed the traffic ministry and consulted with members of the Church in planning operations to insure vehicular and pedestrian safety, addressing issues such as circulation, pedestrian walkways, crossings, and phasing the use of the lots and school parking. Mr. Guckert then summarized the recommended parking operations, the phasing of parking, and location of attendants. He estimated that the plan would be operational for approximately four hours each week, between 8:30 AM and 12:30 PM on

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Date

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Sunday mornings. Mr. Guckert testified that the B.C.Z.R. standard of one space for four seats was inclusive of all uses on the site. When asked about access through Dunwoody Road, Mr. Guckert indicated that vehicular access would be blocked, but emergency vehicles could enter the site, if necessary. It was Mr. Guckert's opinion that from a traffic point of view, strict compliance with the B.C.Z.R. would result in undue hardship to the Church; that the hardship was peculiar to the site due to topographical conditions and that the modified plan as proposed is in harmony with the spirit and intent of the zoning regulations. In his opinion, the relief requested, if granted, would not create any traffic hazard and/or injury to the public health, safety or general welfare.

At the continued hearing on January 17, 1991, Rocky Powell of DEPRM confirmed the fact that his Department sought and supports the modified plan. Mr. Powell further testified that the proposed plan will treat and control storm water run-off from the Beltway, currently untreated, which will result in an improvement in water quality over existing conditions. In addition, the modified plan reduces the area of disturbance, retains a greater number of trees, and minimizes the use of slopes on the site. Mr. Powell testified that development of the site as proposed would have no substantial adverse impact on the domestic water supply for the adjoining residential properties.

Tom Lucas, an elder of the Church, testified to the operational parking plan anticipated for the proposed sanctuary. Mr. Lucas has been responsible for the parking ministry for the past seven years. He testified to the limited hours each week when maximum demands on parking arise. Mr. Lucas testified that the operational plan was developed with an expert traffic engineer to insure the safe and efficient control of traffic at

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peak hours, both for pedestrian and vehicular safety. He described in detail the proposed operation, including scheduling, training of attendants, training and investigation of drivers for the buses, stations to which attendants are assigned, pedestrian and vehicular flow and circulation, phasing of lots, timing, use and parking of buses. In addition, Mr. Lucas described contingency plans for medical and weather emergencies and for alternate attendants in the event of absences. He also indicated Petitioners in the past had obtained the permission of the Lutheran High School and MTA to use their parking lots when the school lot was unavailable. Mr. Lucas also testified regarding provisions for snow and ice removal and indicated that during his seven years' experience, there had been no accidents involving personal injury.

George Gavrelis, with Daft-McCune-Walker, Inc., testified as an expert witness in the field of planning. Mr. Gavrelis described the subject site, and indicated that he had observed it and the surrounding area, both during the week and during Sunday worship services. Mr. Gavrelis described the property, improvements thereon, and its physical characteristics. In his testimony, he noted that a tour of the nearby neighborhoods revealed that religious institutions have chosen locations which offer high accessibility to Beltway interchanges. He characterized the subject site as being defined by steep slopes, adjoining roads and the Beltway. Mr. Gavrelis testified that all site edges are heavily wooded with mature trees, and that a B G & E electrical power transmission line exists on the north slope parallel to Cromwell Bridge Road. In his opinion, the plan presented creates a visual green edge around the proposed development. Mr. Gavrelis testified these physical characteristics result in two component areas suitable for development due to slope constraints; one on which

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the existing facilities are located and the other on which the proposed new sanctuary is to be located. He indicated the physical constraints prevent consolidating the existing and expanded facilities into a central core and have resulted in a development pattern which must be compacted to respect the physical and environmental constraints. Mr. Gavrelis also testified that the subject property does not adjoin any development and abuts only one dwelling, which is separated by the required 75-foot residential transition area plus an additional 30 feet which will be enhanced by further landscaping. Mr. Gavrelis also testified that the number of spaces proposed to be stadium parked, that is without access to aisles, does not exceed 30% of the overall parking spaces provided. In his opinion, the modified plan would not adversely impact surrounding communities, nor would the proposed use be contrary to the standards set forth in Section 502.1 of the B.C.Z.R. Mr. Gavrelis further testified that based on the unique characteristics of the site, strict compliance with the requirements of the zoning regulations would render conformance unnecessarily burdensome and result in an undue hardship for the Church. He concluded that, in his opinion, the granting of the relief requested would not work an injustice on the Church or other property owners in the area, and that the spirit and intent of the zoning regulations would be observed and the public safety and welfare secured.

In the first two days of hearings, the Protestants questioned whether Petitioners had complied with a previously approved landscape plan. At the January 17th hearing, the Church stipulated that it would survey the planting at the site, determine any action required to conform the site to County requirements, and submit and implement a landscape plan to correct any deficiencies. A landscape plan was submitted to Baltimore

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County on January 7, 1991, and subsequently approved. That plan has been modified in connection with an agreement between the Church and the Chatterleigh Association.

There was also testimony and cross examination relating to the use of Dunwoody Road for access to the new sanctuary. Testimony by the Church, consistent with the requirements of the CRG plan, was that the Church does not intend to use Dunwoody Road, but Baltimore County is requiring that emergency access be maintained.

At the hearing of March 12, 1991, the Protestants, by John Pfeifer, Esquire, and V. Charles Rinaudo, Esquire, on behalf of the Chatterleigh Association, and Michael Gisriel, Esquire, on behalf of Mr. & Mrs. Veit, appeared and testified that after numerous meetings, the parties had reached agreements and the Protestants would be withdrawing their objections subsequent to the receipt of a written agreement. For that reason, the parties requested that the case be continued until the agreed upon date of March 21, 1991. All parties agreed that if the Protestants did not appear at the hearing on March 21, 1991, they had withdrawn their objections to the request. At the hearing held on March 21, 1991, Petitioners, by Rev. Pierce, appeared, testified and were represented by Counsel. No Protestants appeared.

After confirming that Petitioners had obtained the consent of all parties, the Deputy Zoning Commissioner expressed concerns due to the size of the proposed sanctuary, traffic that would be generated, parking arrangements, and site constraints regarding ingress and egress to the site. For that reason, the Petitioners and the Deputy Zoning Commissioner discussed and agreed upon appropriate restrictions which would require a re-examination of the site relative to traffic, parking, etc., once there

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is a substantial increase in the number of members attending the services. Petitioners were advised that a review of the operation by the Baltimore County Fire Department and Department of Traffic Engineering would be required at such time when the sanctuary was being used at a capacity of 2500 individuals. Petitioner was further advised that the study would be conducted over a minimum six-month period which must include the winter months of December through February. It was understood that the appropriateness of any increase in the seating capacity of 2500 would be based upon the findings of the aforementioned studies (See Restriction 4 set forth hereinafter).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing were not granted, subject to restrictions. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the special hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 30th day of May, 1991 that the Petition for Special Hearing to approve an amendment to the previously approved site plan in Case No. 85-126-A to permit a modified parking plan, pursuant to Section 409.12B of the Baltimore County Zoning Regulations (B.C.Z.R.), which a) provides some of the required parking more than 500 feet walking dis-

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tance from the principal building entrance; b) permits fewer than 50% of the on-site parking to not have direct access to an aisle and to be parked by direction rather than by an attendant; and c) provides 112 parking spaces on a satellite lot from which shuttle bus service is provided, in accordance with Petitioner's Exhibit A, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2) Prior to the issuance of any permits, Petitioners shall submit a landscaping plan which has been approved by the Director and/or Deputy Director of Planning. Said plan must first be submitted to Michael Tanczyn, Esquire and John Pfeifer, Esquire for verification that said plan is as agreed upon between the parties. The approved landscaping shall be implemented prior to the issuance of any occupancy permits for the new sanctuary unless determined by the Office of Planning that landscaping cannot be completed for valid reasons, such as seasonal weather conditions.

3) When the sanctuary is in use, there shall be no separate functions held in any of the other buildings on the site.

4) When attendance reaches 2500, there shall be no further increase in attendance until Petitioners have notified in writing, the Fire Department and the Department of Traffic Engineering and have provided said Departments a minimum six-month period to monitor the traffic and parking generated from the site. Said period must include the winter months of December through February. If either Department notifies the Zoning Commissioner within said period that in their opinion, increasing the attendance from 2500 to 3,096 will create a safety and/or traffic problem, there shall be no use of the sanctuary for greater than 2500 individuals, unless Petitioners are authorized to

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5/30/91

By

[Signature]

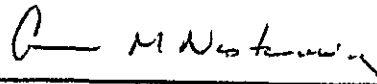
increase the number after a public hearing and an Order modifying this restriction has been issued.

5) Petitioners are required to set forth by written notice to the Fire and Traffic Engineering Departments the date by which they must notify the Zoning Commissioner of any concerns they may have if the sanctuary is used for greater than 2500 individuals and shall file a copy of both letters to the Zoning Commissioner's Office for inclusion in the case file.

6) Prior to the occupancy and use of the proposed sanctuary, a traffic signal must be installed at the proposed entrance to the site at Cowpens Avenue and Cromwell Bridge Road, unless the Department of Traffic Engineering and State Highway Administration determines it is unnecessary.

7) The use of Dunwoody Road shall be limited to emergency access only.

8) When applying for any permits, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.



ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

ORDER RECEIVED FOR FILING

Date

5/30/91

By



LAW OFFICES
ROSOLIO, SILVERMAN & KOTZ, P. A.
SUITE 220, NOTTINGHAM CENTRE
502 WASHINGTON AVENUE
TOWSON, MARYLAND 21204-4513

TELEPHONE 410-339-7100
FAX NO. 410-339-7107

DEBORAH C. DOPKIN

September 5, 1996

VIA HAND DELIVERY

Arnold Jablon, Esquire
Baltimore County
Department of Permits and
Development Management
111 W. Chesapeake Avenue
Towson, Maryland 21204

PEL 3A

RE: The Rock Church
Case No. 91-94-SPH and Case No. 85-126-A

Dear Mr. Jablon:

This firm represents The Rock Church with regard to its property located at 1607 Cromwell Bridge Road, the subject of the above captioned zoning cases. (I note there was a sign variance case No. 88-65A that was denied and is not relevant to the subject of this letter.)

The subject property consists of a 23 ± acre more or less parcel zoned D.R. 2 that is improved with the Church, school and related facilities. The Church recently completed a new sanctuary on the site. Prior to opening the new sanctuary, services were held in the gymnasium of the school. It is the school that is the subject of this letter.

The Church is exploring contracting with an independent operator to take over the school operation. The proposed operator is the Arrow Project, a Christian, private, non-profit corporation consistent with the ministry of the Church.

The school would continue to be accessory and subordinate to the Church use and would be in furtherance of the mission of the Church and its ministry. There would be no exterior modifications to the building and there would be a net reduction in the number of students on the site as well as traffic and parking demands.

The student body would be reduced to approximately sixty students in grades 1 - 12, of whom roughly one-half would reside on the premises. Thus, one floor of the existing building would be converted to dormitory. The student body that would be served would

LAW OFFICES
ROSOLIO, SILVERMAN & KOTZ, P. A.

Arnold Jablon, Esquire
September 5, 1996
Page 2

be limited to students with special needs who have experienced abuse or neglect. Enrollment would come from both the private sector and from placement by state agencies.

If you desire, the Church can provide detailed information on staffing, scheduling and classroom levels. In addition to the educational staff, the school would maintain three full time staff people in the dormitories twenty-four hours per day, plus therapeutic, clinical and administrative personnel during normal operating hours.

The operation of the school at the Rock Church does not involve a change to the site plan nor does it constitute a material change in the operations at the site. The religious school activity and services provided to the student body are normal accessory uses found at many religious institutions. As such, we believe that the proposed modification should be permitted without the necessity of an additional public hearing or further zoning approval.

I have enclosed the Orders in the above captioned zoning cases, along with the required processing fee of \$40.00 made payable to Baltimore County, Maryland. I would appreciate an expedited review and response, since the parties are anxious to provide these services to a waiting enrollment at the earliest opportunity. Further, we will be meeting with Carl Richards of your office on Monday, September 9, 1996 to respond to any questions he may have regarding this matter. If I may provide further information at that time, please contact me.

Thank you for your attention to this matter.

Very truly yours,


Deborah C. Dopkin

DCD/kmc
Enclosure
cc: The Rock Church



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

September 19, 1996

Deborah C. Dopkin, Esquire
Rosolio, Silverman & Kotz, P.A.
Suite 220, Nottingham Centre
502 Washington Avenue
Towson, MD 21204-4513

A handwritten signature in black ink, appearing to read "Red 3B", is written over the address of Deborah C. Dopkin.

RE: The Rock Church
Temporary Dormitory for Approx. 30
Special Needs Students
Zoning Case #91-94-SPH, #85-126-A
9th Election District

Dear Ms. Dopkin:

Reference is made to your letter of September 5 to Arnold Jablon, Director of Permits and Development Management, and your supplemental letter of September 9, both of which I will reply to. You have requested on behalf of your client, Rock Church, that this office concur that the proposed special needs student dormitory would be in keeping with the spirit and intent of the zoning regulations and the above referenced zoning cases.

At a meeting in this office on September 9, it was explained that the students had experienced abuse or neglect and would only temporarily live in the dormitory, not to exceed 90 days, after which time they would continue to attend class but they would later return to the family home or be placed in foster care or a residential facility. As was further explained, the temporary dormitory accommodations and student services, similar to transitional services offered by other religious institutions, will be "accessory to" and not change the "principal church operations" at the site.

I have discussed your proposal with Arnold Jablon and simply stated, this office would agree that the temporary dormitory use for approximately 30 special students would not conflict with the Baltimore County Zoning Regulations and would be within the spirit and intent of the zoning cases. Our final approval would be contingent upon:

1. the revision of the site plan in the latest zoning case to reflect the changes, even though the proposal may be less intense;

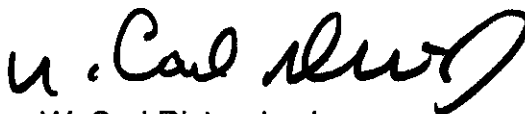


Deborah C. Dopkin, Esquire
September 19, 1996
Page 2

2. notifying this office and requesting re-approval should the special student accommodations be proposed to exceed 30;
3. an understanding that should there be complaints received in the Permits and Development Management Office concerning this operation that, after notification, a public hearing must be filed in this office for (a) special exception for a community care center and/or (b) special hearing to approve transitional student accommodations as accessory to a church.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at (410) 887-3391.

Very truly yours,



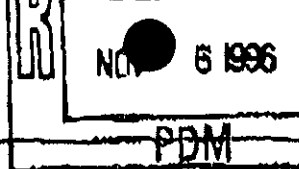
W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:scj

c: Councilman Joseph Bartenfelder



Maryland State Department of EDUCATION



Schools for Success

Nancy S. Graemick
State Superintendent of Schools

October 24, 1996

Corrected Copy
11/1/96

200 West Baltimore Street
Baltimore, Maryland 21201
Phone (410) 767-0100
TTY/TDD (410) 333-6442

Mr. Arnold Jablon, Director
Baltimore County Government, Office of Zoning Admin.
111 West Chesapeake Avenue
Towson, Maryland 21204

Dear Mr. Jablons:

Nonpublic school approval regulations COMAR 13A.09.09 and COMAR 13A.09.10 require a nonpublic school to be in compliance with applicable State and local regulations, or both, governing health, fire safety, and zoning prior to the issuance of a Certificate of Approval by the State Board of Education.

Please notify us in writing regarding compliance of the school referenced below with applicable Zoning regulations or check appropriate box and return entire form to my attention at the above address.

Name of School The Arrow Center for Education Phone # (410) 882-9133

Street 1607 Cromwell Bridge Road

City Baltimore State Maryland County Baltimore Zip Code 21234

Chief Administrative Officer Mr. Joseph M. Leshko, Director of Education

Type of Educational Program Special education program for students with serious emotional disturbance.

Special Instructions (if any) Plan to begin operating January 2, 1997. *grades 6-12.*

Thank you for your continued cooperation.

Sincerely,

Eleanor H. Kopchick

Eleanor H. Kopchick
Specialist in Accreditation
Nonpublic School Approval Branch

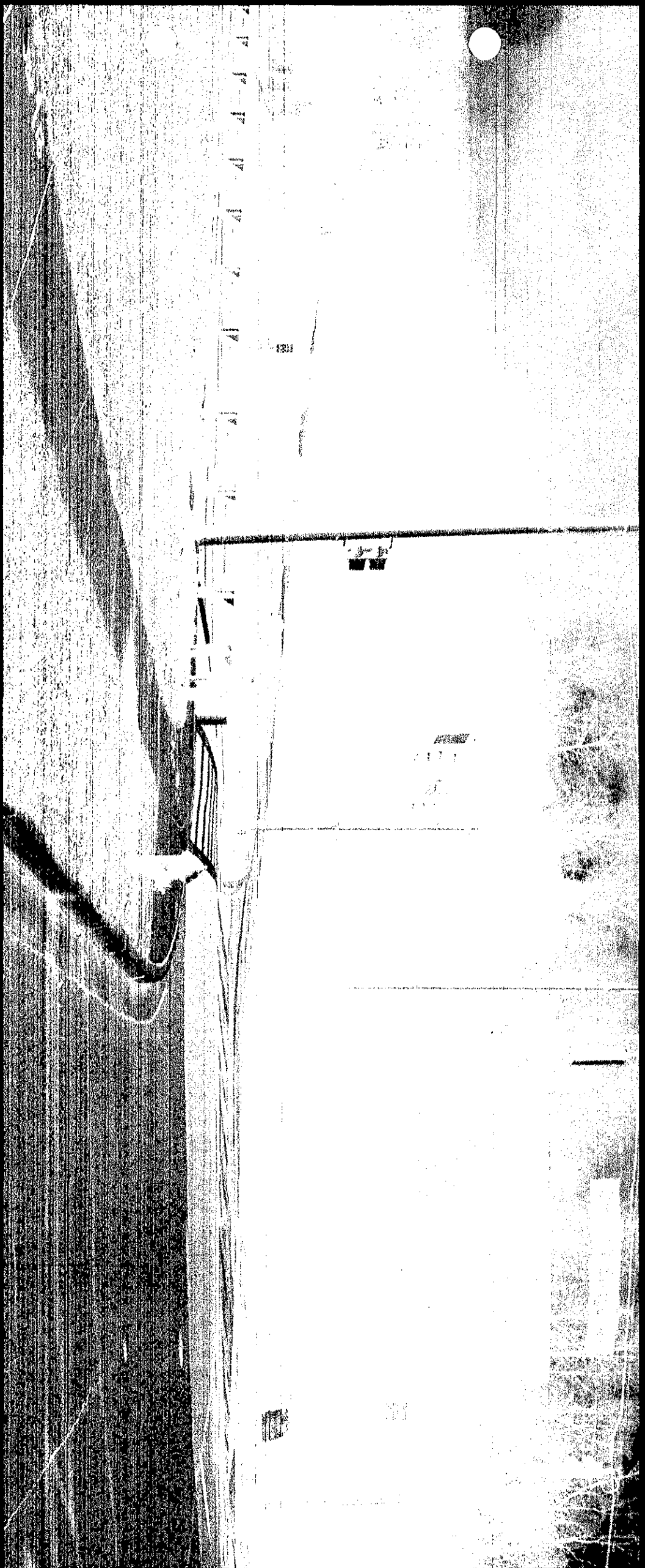
c: Mr. Joseph M. Leshko

☐ Meets Applicable Regulations ☐ Does Not Meet Applicable Regulations ☐ No Applicable Regulation

Signature

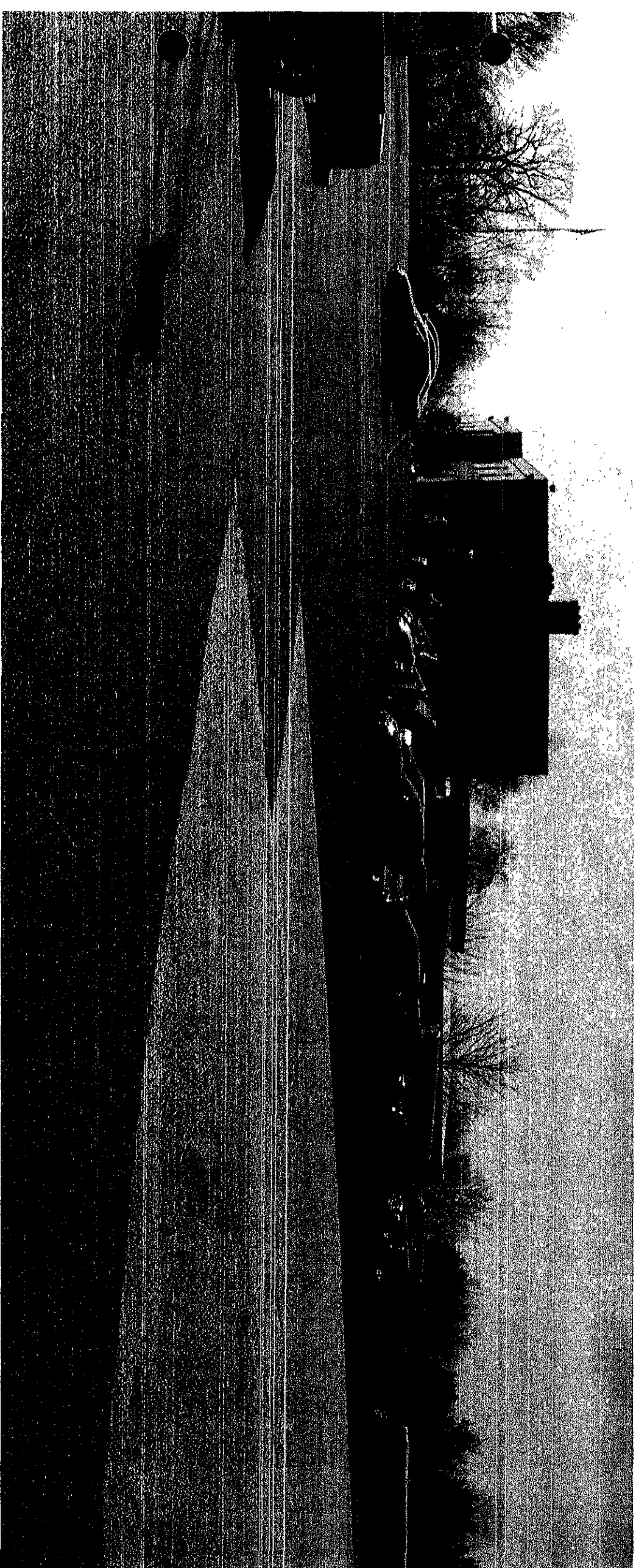
Title

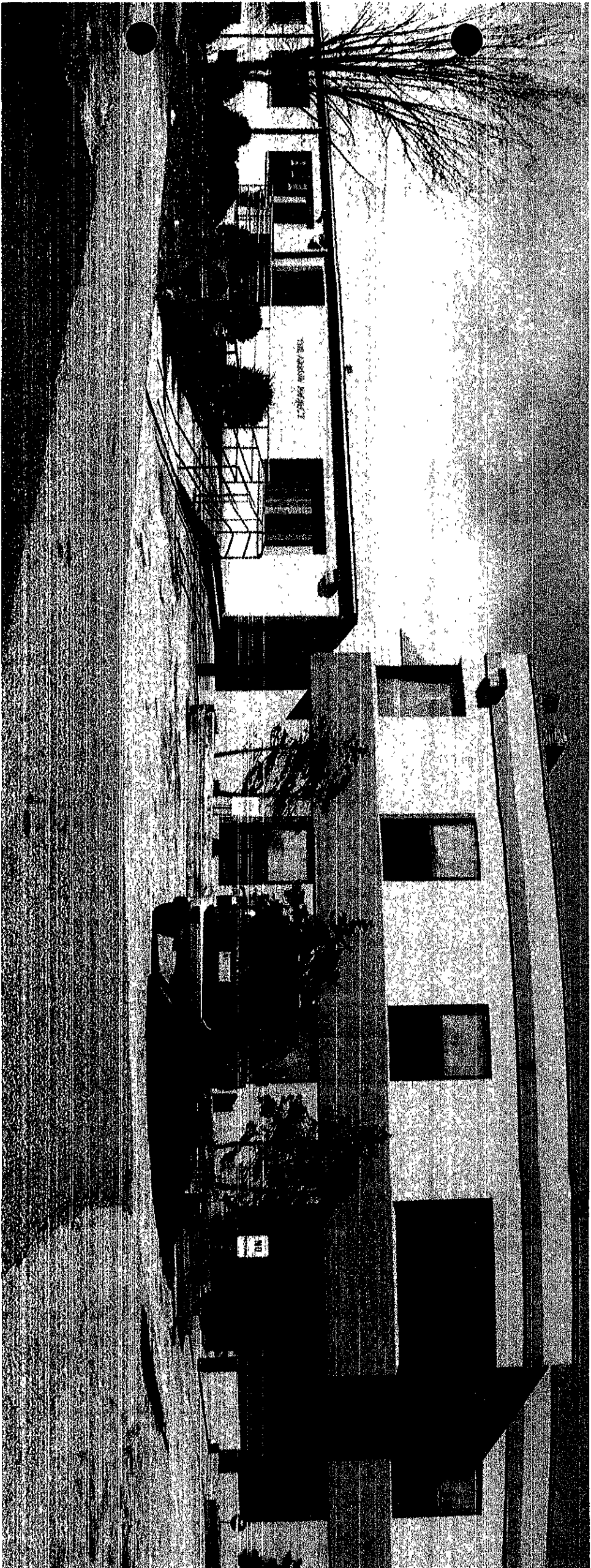
Date



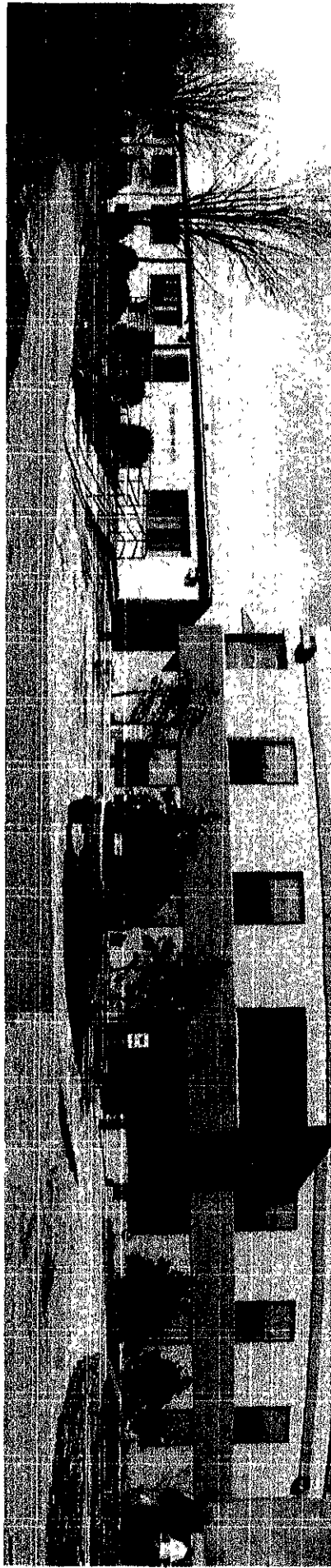
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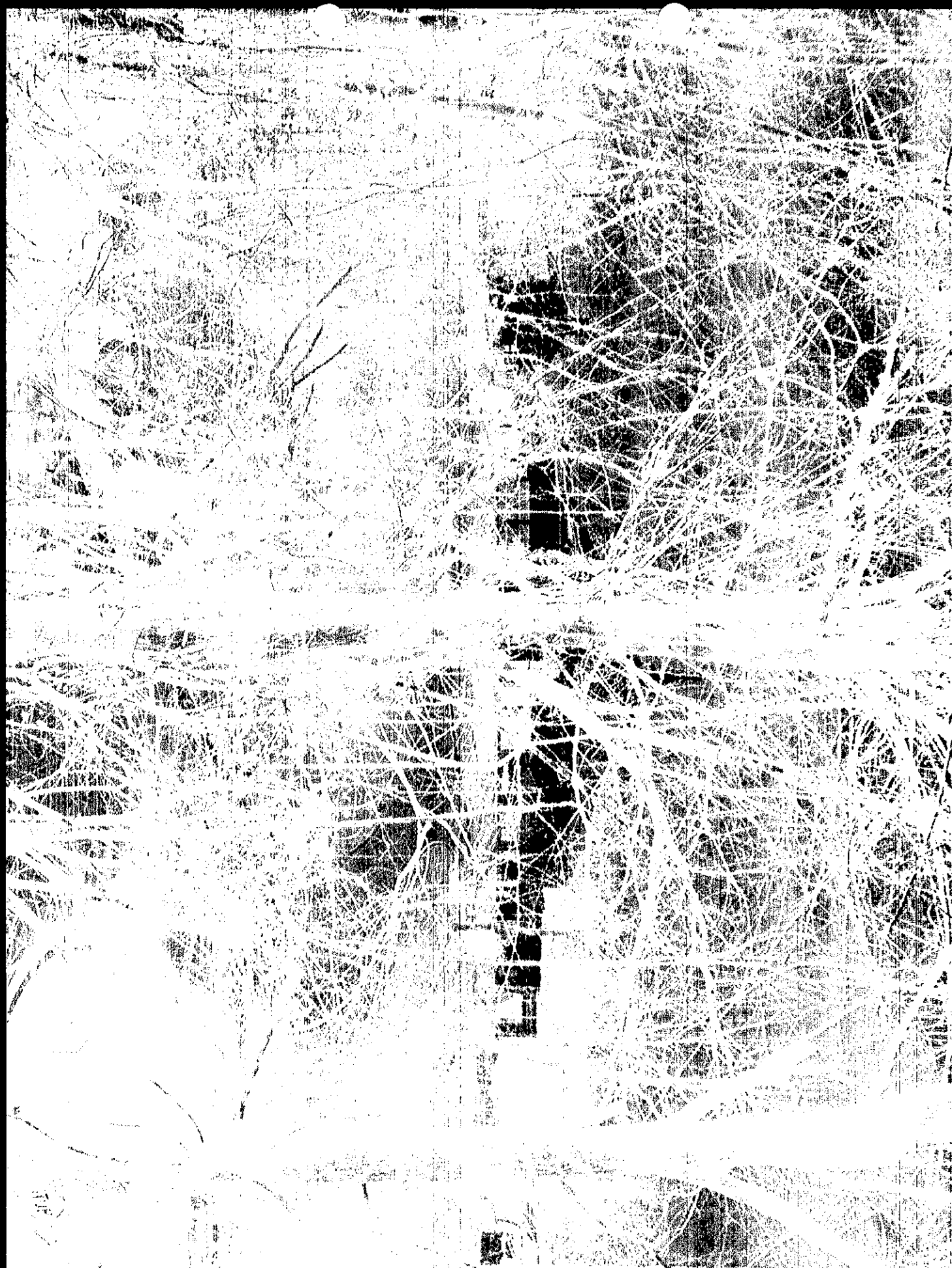
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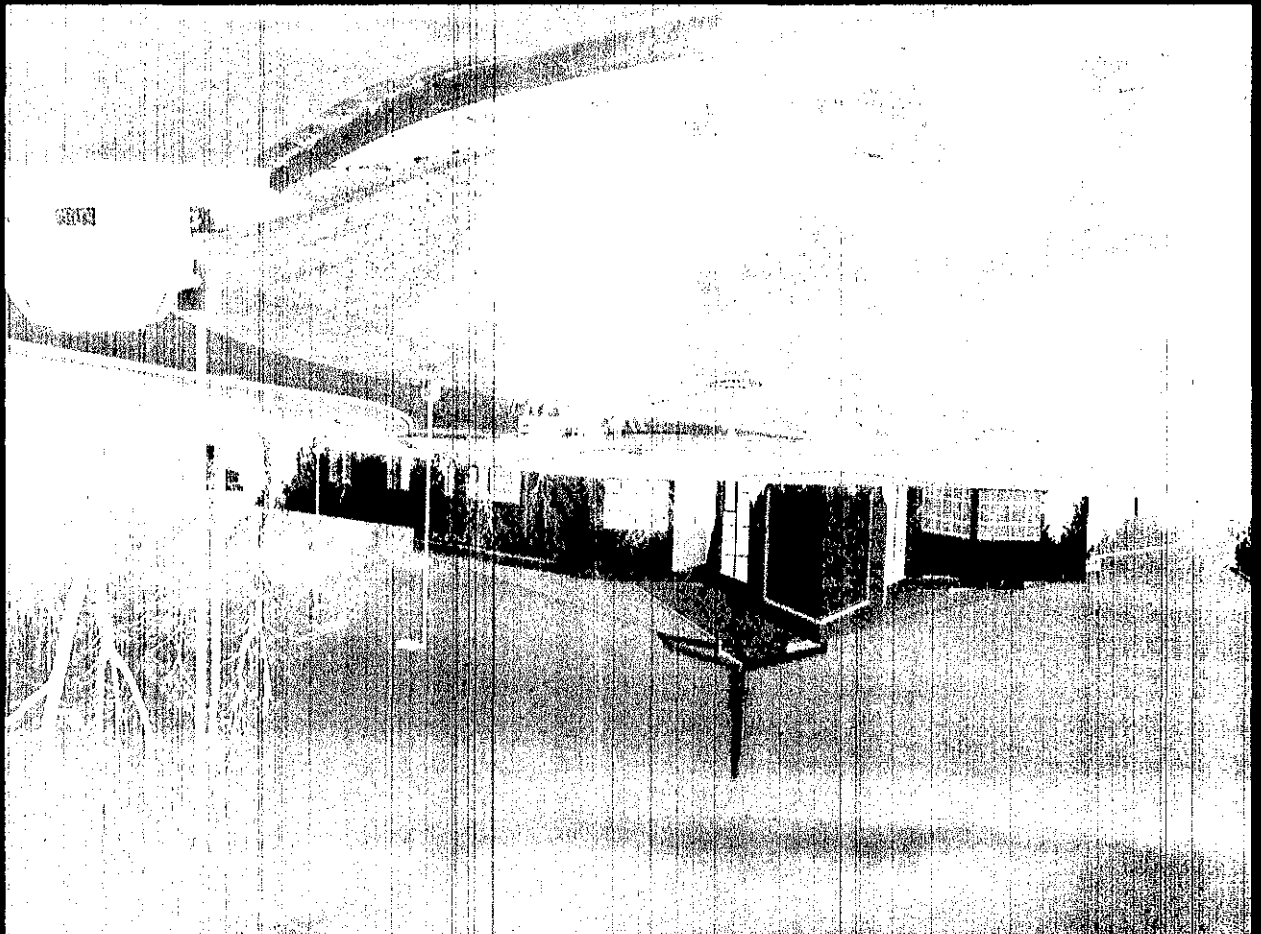
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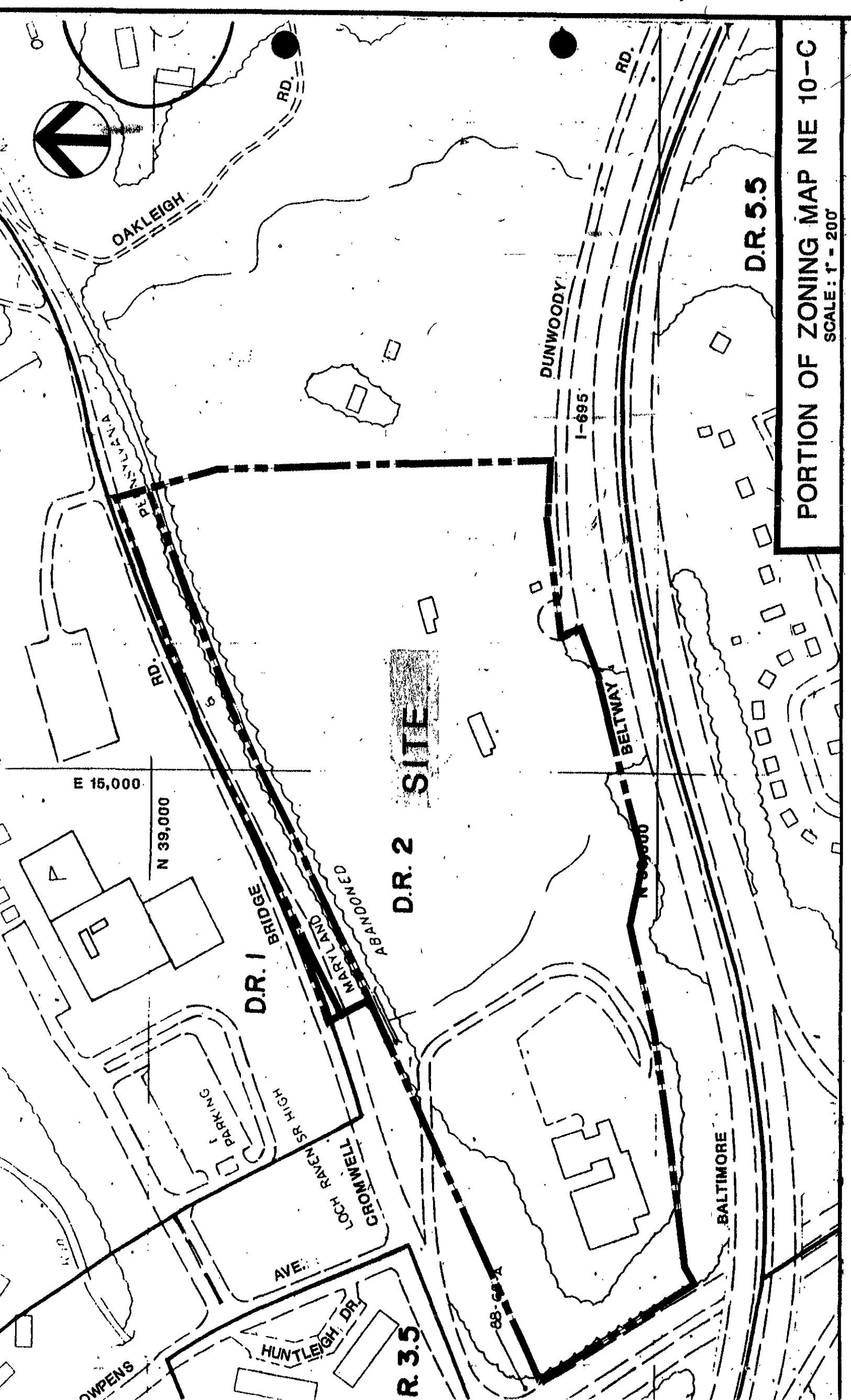




at



47-



PORTION OF ZONING MAP NE 10-C
SCALE: 1" = 200'

